IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRI. WRIT PETITION NO. 1881 OF 2004

Office Notes, Office Memoranda of :
of Coram, appearances, Court's orders : Court's or Judge's orders
and Registrar's orders. :

Ms. Shaila R. Pandey, Advocate appointed for the petitioner.

Mr. D.S. Mhaispurkar, A.P.P. for the respondents.

CORAM: R.M.S. KHANDEPARKAR & P.V. KAKADE, JJ.

DATED: 28TH JANUARY, 2005

P.C.:

1. Heard. Perused the record.

2. Considering the grounds for rejection of the furlough leave application, we do not find the same to be justified. Mere opinion of the Sarpanch and Police Patil cannot by itself be sufficient to arrive at the finding for rejection of the application. There is no other material on record to justify the order. Hence the order rejecting the application for furlough leave is quashed and set aside. The authorities are directed to reconsider the application in accordance with the

provisions of law. Needless to say that, after imposing certain conditions, if necessary, while granting furlough application, the authorities can dispose of the application within six weeks from today. Petition accordingly stands disposed of with the said directions. The respondents to communicate this order to the petitioner.

(R.M.S. Khandeparkar, J.)

(P.V. Kakade, J.)